

**State of Utah****Department of
Natural Resources**

MICHAEL R. STYLER
Executive Director

**Division of
Oil, Gas & Mining**

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Division Director

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Governor

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Lieutenant Governor

March 9, 2007

Matthew Seddon Ph.D., State Historic Preservation Officer
DCED - State History Division
300 Rio Grande
Salt Lake City, Utah 84111

Subject: Decision Memo Requesting State Historic Preservation Office (SHPO)
Concurrence on a No Adverse Effect Determination, Emery Deep IBC (160
Acre Extension), Consolidation Coal Company, Emery Deep Mine,
C/015/0015, Task ID #2749, Outgoing File

Dear Dr. Seddon:

The Division of Oil, Gas and Mining is requesting your concurrence with our Emery Deep Incidental Boundary Change (IBC) 160-Acre Extension effect determination. The enclosed map (Attachment 1) illustrates that the proposed 160-acre extension of the Emery Deep Mine is located in Emery County, Utah (7.5 Minute USGS Quadrangle map – Walker Flat). The proposed extension is located in the SW1/4NW1/4, NW1/4SW1/4, NE1/4SW1/4, and SE1/4SW1/4 of Section 22, Township 22 South, Range 6 East, SLBM. The Bureau of Land Management is the subsurface owner and a private title-holder is the surface owner. The proposed extension will not include any surface disturbance for facilities.

The information submitted on February 13, 2007, includes a class three survey completed by Montgomery Archaeological Consultants as Appendix XIII-3 to Chapter XIII, (included as attachment 2). The introduction and description of the project area on page one of the inventory includes a reference to ***Consol Energy's three Emery Mine parcels (Panel # 4 East, Panel #14 West, and Panel # 15 West)***.

The ground or pedestrian survey included archaeologists walking parallel transects 10 meters apart. The survey encompassed approximately 407.1 acres on privately owned land. The inventory resulted in the location of eight new sights, (42Em3833, through 42Em3840). There are four historic trash scatters (42Em3836, 42Em3837, 42Em3839 and 42Em3840), two corral complexes (42Em3833 and 42Em3838 *which is located within the proposed IBC boundary*), a wooden shed and house foundation (42Em3834) and a historic road segment with a associated fence (42Em3835).

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According to the survey none of the sites were recommended as eligible to the National Register of Historic Places (NRHP) as they represented common site types that were not associated with a particular settlement or historically significant property. Since none of the sites are recommended as eligible to the NRHP, a recommendation of "No Historic Properties Affected" is proposed by the applicant.

The Division supports this recommendation and requests your concurrence with our "no adverse effect on cultural resources" determination for the proposed Emery Deep 160 Acre IBC Extension. If appropriate, please sign the concurrence statement below, and return it to me. If you have any questions or concerns, please contact me at (801) 538-5286, or Joe Helfrich (801) 538-5290.

Sincerely,

A handwritten signature in black ink, reading "D. Wayne Hedberg". The signature is fluid and cursive, with a large, stylized "D" and "H".

D. Wayne Hedberg
Permit Supervisor

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Enclosures
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Concurrence: I concur with the determination made by the Utah Division of Oil, Gas and Mining that the proposed Emery Deep 160 Acre IBC Extension Project would have no adverse effect on historic properties.

_____ Date _____

Wilson Martin

Utah State Historic Preservation Officer

Attachment 1: Map of area showing the proposed extension area (page 2 figure 1 included in attachment two, the Cultural Resource Inventory).

Attachment 2: Cultural Resource Inventory of Consol Energy's three Emery Mine Parcels,
Emery County Utah (Township 22S, Range E, Sections 21, 22, 27, 28, and 29) Rigden A. Glaab